



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: August 7, 2014

Initiated By: Paul A. Hammersmith, Director of Engineering
Michael S. Sweder, Civil Engineer II
Philip K. Hartmann, Assistant Law Director

Re: Ordinance 83-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.027 ACRE, MORE OR LESS, PERMANENT EASEMENT AND 0.022 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM BRUCE C. MILLER AND SHARON C. MILLER, FOR THE PROPERTY LOCATED AT 6189 DUBLIN ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.

Background

The City of Dublin ("City") is preparing to construct a shared-use path along Dublin Road (the "Project"). The City is obtaining certain permanent property interests from various landowners to construct the path, as well as acquiring temporary easements to perform minor grading and construction.

Bruce C. and Sharon C. Miller (the "Grantors") own property from which the City desires a permanent easement and a temporary easement. This property is located at 6189 Dublin Road, Dublin, OH 43017 and is identified as Franklin County Parcel No. 273-000147.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property for the appraised value of Four Thousand Seven Hundred Forty Dollars (\$4,740.00), pursuant to the terms outlined in this memorandum.

Acquisition

The City will be acquiring from the Grantors only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The property interest is detailed below:

Franklin County Parcel No. 273-000147

Property Interest Acquiring	Description	Appraised Value
Permanent Easement	0.027 acre ±	\$4,065.00
Temporary Easement	0.022 acre ±	\$675.00
TOTAL		\$4,740.00

Recommendation

Ordinance No. 83-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

Staff recommends that Council dispense with the public hearing and approve Ordinance No. 83-14 by emergency at the August 11 Council meeting in order to continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

83-14

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.027 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.022 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM BRUCE C. MILLER AND SHARON C. MILLER FOR THE PROPERTY LOCATED AT 6189 DUBLIN ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") is preparing to construct a shared-use path along Dublin Road (the "Project"); and

WHEREAS, said Project requires that the City obtain certain property interest within Franklin County Parcel No. 273-000147 owned by Bruce C. Miller and Sharon C. Miller (the "Grantors"), said property interest more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Four Thousand Seven Hundred Forty Dollars (\$4,740.00); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.027 acre, more or less, permanent easement, as well as a 0.022 acre, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Bruce C. Miller and Sharon C. Miller, for the sum of Four Thousand Seven Hundred Forty Dollars (\$4,740.00), said property interest located within Franklin County Parcel No. 273-000147, and as more fully described in the attached Exhibits "A" and depicted in the attached Exhibits "B."

Section 2. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interest is necessary for the advancement of this Project. The ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

	CIP	1 of 2
	PARCEL	08-009
	PROJECT	38-P
Version Date		DUBLIN MUP
		02/14/14

**PARCEL 38-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.605 acre tract as conveyed to Bruce C. and Sharon C. Miller, by deed of record in Official Record 11529 J07, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at an iron pin found at the intersection of the common line of Virginia Military Surveys 2419 and 2542 with the existing right-of-way centerline of Dublin Road, at the northeast corner of said Miller 0.605 acre tract, being at centerline station 170+00.85;

Thence North 82 deg. 23 min. 49 sec. West, a distance of 31.16 feet along the northerly line of said Miller 0.605 acre tract, and along the common line of Virginia Military Surveys 2419 and 2452, to the intersection with the existing westerly right-of-way line of Dublin Road, being the **Point of True Beginning** of the herein described parcel, and being 30.00 feet left of centerline station 170+09.29;

Thence South 08 deg. 07 min. 06 sec. East, a distance of 31.81 feet across said Miller 0.605 acre tract, and along the existing westerly right-of-way line of Dublin Road, to an angle point in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 169+77.48;

Thence South 19 deg. 40 min. 16 sec. West, a distance of 70.86 feet across said Miller 0.605 acre tract, and along the existing westerly right-of-way line of Dublin Road, to a point in the common line of said Miller 0.605 acre tract and the 0.524 acre tract conveyed to Frederick M. Coggin and Judith W. Harvey, by deed of record in Instrument Number 199904300109030, being 30.00 feet left of centerline station 168+91.78;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 10.22 feet along the common line of said Miller 0.605 acre tract and said Coggin and Harvey 0.524 acre tract, to a point being 40.00 feet left of centerline station 168+89.67;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 50.33 feet across said Miller 0.605 acre tract, and parallel to the existing westerly right-of-way line of Dublin Road, to a point being 40.00 feet left of centerline station 169+40.00;

Thence North 02 deg. 31 min. 59 sec. East, a distance of 50.86 feet across said Miller 0.605 acre tract to a point in the common line of Virginia Military Surveys 2419 and 2452, being the common line of said Miller 0.605 acre tract and the 0.807 acre tract conveyed to Jane E. Fox, by deed of record in Instrument Number 200207150172396; said point being 40.00 feet left of centerline station 170+12.10;

Thence South 82 deg. 23 min. 49 sec. East, a distance of 10.39 feet along the common line of Virginia Military Surveys 2419 and 2452, and the common line of said Miller 0.605 acre tract and said Fox 0.807 acre tract, to the **Point of True Beginning**, containing 0.027 acres, more or less.

EXHIBIT A

2 of 2
CIP 08-009
PARCEL 38-P
PROJECT DUBLIN MUP
Version Date 02/14/14

Of the above described area, 0.027 acres are contained within Franklin County Auditor's Parcel 273-000147.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Official Record 11529 J07, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E Rader 2/14/14
Registered Surveyor No. 7191 Date

User Name: tbaker
Project: 173608519-Dublin Rd Bike Path
Create Mapcheck Reports

Date: 02-13-14
Time: 11:47:01
Page: 1

```
=====
Lot Name: 38-P
Lot Description: PERMANENT EASEMENT
Lot ID: 273-000147
Lot Owner: BRUCE & SHARON MILLER
Lot Area (Square Feet): 1178
Lot Area (Acres): 0.027
Lot Perimeter: 224.4655
Closing Direction: N36°19'05.9"W
Closing Distance: 0.0005
```

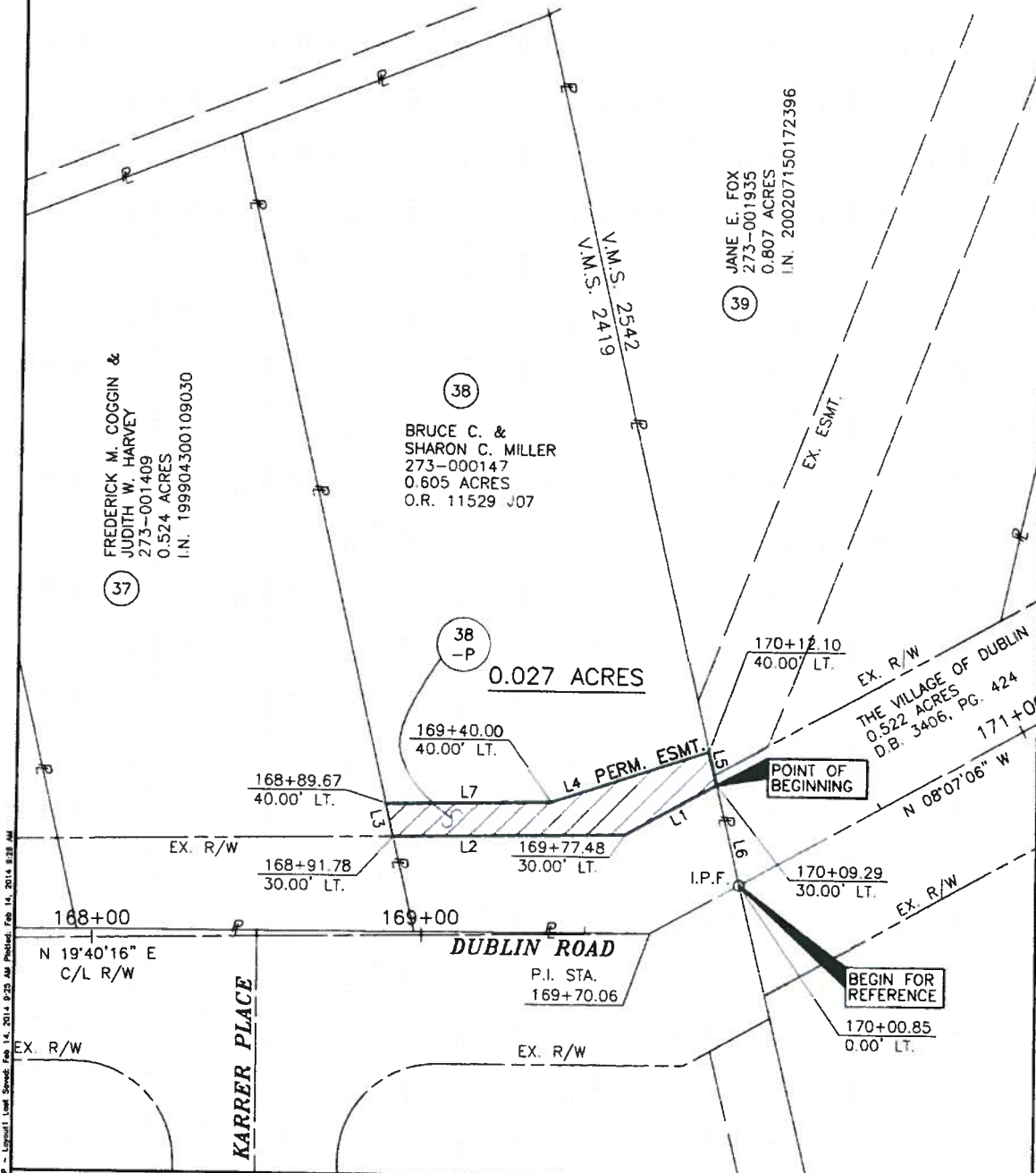
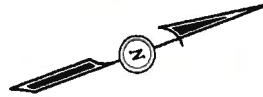
Course Data: (Mapcheck Through Radius Points Method)

```
-----
Point      Northing      Easting      Direction      Distance
Begin      763207.93124    1797060.62000    S08°07'05.8"E    31.808
            763176.44200    1797065.11183    S19°40'16.2"W    70.855
            763109.72209    1797041.26052    N82°15'21.4"W    10.221
            763111.09935    1797031.13274    N19°40'16.2"E    50.329
            763158.49116    1797048.07456    N02°31'59.3"E    50.864
            763209.30545    1797050.32260    S82°23'48.7"E    10.389
End        763207.93088    1797060.62027
Error of Closure      1 : 497817
Departure in Y (Northing): 0.00036
Departure in X (Easting): -0.00027
```

EXHIBIT B

MONUMENT LEGEND

- ⬠ R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



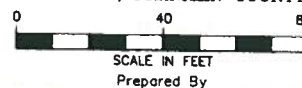
NUMBER	DIRECTION	DISTANCE
L1	S 08°07'06" E	31.81'
L2	S 19°40'16" W	70.86'
L3	N 82°15'21" W	10.22'
L4	N 02°31'59" E	50.86'
L5	S 82°23'49" E	10.39'
L6	N 82°23'49" W	31.16'
L7	N 19°40'16" E	50.33'

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



PARCEL 38-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Steven E. Rader 2/18/14

EXHIBIT A

	1 of 2
CIP	08-009
PARCEL	38-T
PROJECT	DUBLIN MUP
Version Date	02/14/14

**PARCEL 38-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.605 acre tract as conveyed to Bruce C. and Sharon C. Miller, by deed of record in Official Record 11529 J07, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at the intersection of the westerly right-of-way line of Dublin Road with the common line of said Miller 0.605 acre tract and the 0.524 acre tract conveyed to Frederick M. Coggin and Judith W. Harvey by deed of record in Instrument Number 199904300109030, being 30.00 feet left of centerline station 168+91.78;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 10.22 feet along the common line of said 0.605 and 0.524 acre tracts, to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 168+89.67;

Thence continuing North 82 deg. 15 min. 21 sec. West, a distance of 14.87 feet along the common line of said 0.605 and 0.524 acre tracts, to a point being 54.55 feet left of centerline station 168+86.60;

Thence the following four (4) courses and distances across said Miller 0.605 acre tract;

1. Thence North 07 deg. 44 min. 39 sec. East, a distance of 20.00 feet to a point being 58.69 feet left of centerline station 169+06.17;
2. Thence South 81 deg. 55 min. 08 sec. East, a distance of 15.00 feet to a point being 44.00 feet left of centerline station 169+09.18;
3. Thence North 08 deg. 04 min. 52 sec. East, a distance of 75.00 feet to a point being 46.38 feet left of centerline station 170+08.73;
4. Thence North 64 deg. 39 min. 42 sec. West, a distance of 16.33 feet to a point in the northerly line of said Miller 0.605 acre tract, being 60.00 feet left of centerline station 170+17.73;

Thence South 82 deg. 23 min. 49 sec. East, a distance of 20.78 feet along the common line of said 0.605 acre tract and the 0.807 acre tract conveyed to Jane E. Fox, by deed of record in Instrument Number 200207150172396, and the common line of Virginia Military Surveys 2419 and 2452, to a point being 40.00 feet left of centerline station 170+12.10;

Thence the following two (2) courses and distances across said Miller 0.605 acre tract, and along the proposed westerly line of Permanent Easement;

1. Thence South 02 deg. 31 min. 59 sec. West, a distance of 50.86 feet to a point being 40.00 feet left of centerline station 169+40.00;
2. Thence South 19 deg. 40 min. 16 sec. West, a distance of 50.33 feet to the **Point of True Beginning**, containing 0.022 acres, more or less.

EXHIBIT A

2 of 2
CIP 08-009
PARCEL 38-T
PROJECT DUBLIN MUP
Version Date 02/14/14

Of the above described area, 0.022 acres are contained within Franklin County Auditor's Parcel 273-000147.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Official Record 11529 J07, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 2/18/14
Registered Surveyor No. 7191 Date

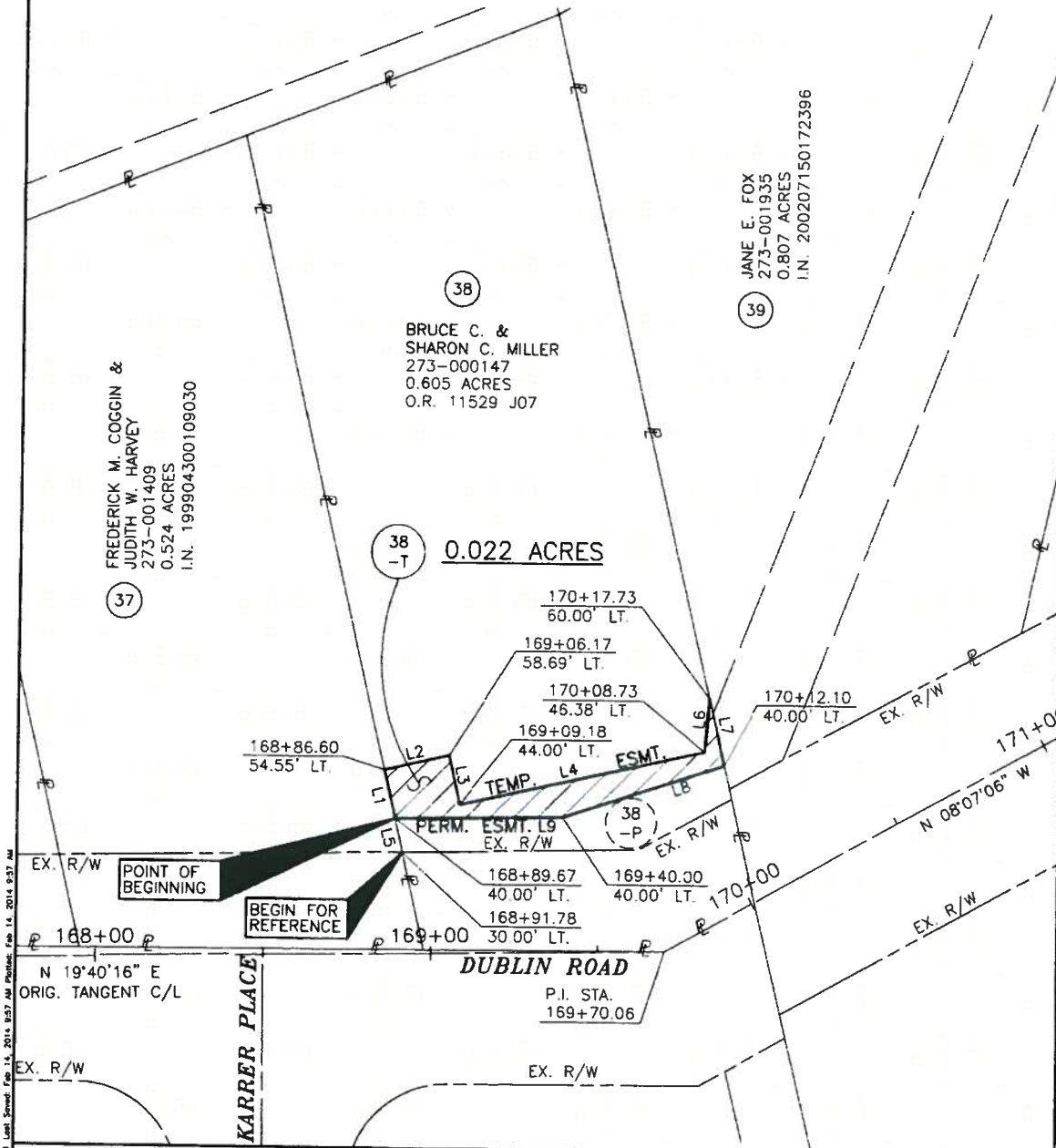
User Name: tbaker
Project: 173608519-Dublin Rd Bike Path
Create Mapcheck Reports

Date: 02-13-14
Time: 11:47:26
Page: 1

```
=====
Lot Name:                      38-T
Lot Description:                TEMPORARY EASEMENT
Lot ID:                         273-000147
Lot Owner:                     BRUCE & SHARON MILLER
Lot Area (Square Feet):        973
Lot Area (Acres):              0.022
Lot Perimeter:                 263.1706
Closing Direction:             S37°35'10.4"E
Closing Distance:              0.0004
```

Course Data: (Mapcheck Through Radius Points Method)

```
-----
Point      Northing      Easting      Direction      Distance
Begin      763111.09937    1797031.13288  N82°15'21.4"W  14.874
           763113.10361    1797016.39453  N07°44'38.6"E  20.000
           763132.92121    1797019.08950  S81°55'08.4"E  15.000
           763130.81262    1797033.94055  N08°04'51.6"E  75.000
           763205.06789    1797044.48352  N64°39'41.7"W  16.326
           763212.05483    1797029.72815  S82°23'48.7"E  20.777
           763209.30581    1797050.32248  S02°31'59.3"W  50.864
           763158.49152    1797048.07444  S19°40'16.2"W  50.329
End         763111.09971    1797031.13262
Error of Closure                  1 : 608877
Departure in Y (Northing):       -0.00034
Departure in X (Easting):        0.00026
```

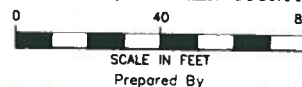


NUMBER	DIRECTION	DISTANCE
L1	N 82°15'21" W	14.87'
L2	N 07°44'39" E	20.00'
L3	S 81°55'08" E	15.00'
L4	N 08°04'52" E	75.00'
L5	N 82°15'21" W	10.22'
L6	N 64°39'42" W	16.33'
L7	S 82°23'49" E	20.78'
L8	S 02°31'59" W	50.86'
L9	S 19°40'16" W	50.33'

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

- ☒ R.R.S. FOUND
- ☐ REBAR FOUND
- ☐ IRON PIN FOUND
- ☒ MONUMENT BOX
- ☒ 3/4" IRON PIN SET

PARCEL 38-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Started

Steen E Rader 2/18/14

